

Leonard C. Jefferson, CL-4135
10745 Rt. 18
Albion, PA 16475-0002
February 28, 2007

Clerk's Office
P.O. Box 1820
Erie, PA 16507

RE: RESUBMITTED DOCUMENTS/

JEFFERSON V. WOLFE, C.A. NO. 04-44 ERIE

Dear Clerk:

On 02/26/07 the Clerk's Office returned (unscannable, 2-sided and improper sized) documents to me.

Would you please include the enclosed resubmitted documents in their proper places in the APPENDIX TO PLAINTIFF'S BRIEF IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT in the above-captioned case. Each resubmitted document bears its page number.

Thank you for your attention to this matter.

Respectfully

Leonard C. Jefferson

U.S. DISTRICT COURT

CLERK

07 MAR -2 10:49

FILED

Pa. imprisons blacks at highest rate

Study by reform group finds it's 14 times that of whites

By John M.R. Bull

Post-Gazette Harrisburg Correspondent

HARRISBURG — Pennsylvania incarcerates a larger percentage of its minority population than any other state, according to a new study.

For more than a decade, the state has had one of the highest disparities in the rate at which it incarcerates minority inmates compared with the state's minority population, but now it is the worst, according to a study done by the prison reform group the Justice Policy Institute in Washington, D.C. The results of the study were published recently by the liberal magazine Mother Jones.

"This is not shocking news," said Ernie Preate Jr., a former state at-

□ The nation's oldest prison advocacy group speaks for inmates because nobody else does. **Page C-2**

turney general who served time in prison on corruption charges and who is now a crusader for prison reform.

"This has been evident the last several years. This certainly should raise some red flags in the governor's office."

The study compared the number of minorities in state prisons with the number of minorities in the state and measured the results against other states, based on 2000 figures.

Overall, blacks make up 55 percent of the state prison population,

but 10 percent of the state's population.

The study concluded that 1,673 of every 100,000 blacks in the state are in prison, compared with 117 of every 100,000 whites. That would mean that blacks are imprisoned at a rate 14 times that of whites.

Add in the number of Hispanic and Asian prisoners, who make up less than 1 percent of the state's population and are incarcerated at a lower rate than blacks, and the state incarcerates minorities overall at 11 times the rate of whites.

That disparity is larger than in any other state, according to the study.

Other states that incarcerate minorities more than 10 times the rate of white defendants are Minnesota,

Wisconsin, Connecticut and New Jersey.

Southern states do not incarcerate as great a percentage of their minority populations as do many Northeastern states. Texas had the lowest incarceration disparity, imprisoning minorities at 2.5 times the rate of whites, the study showed.

"Why?" is something we really don't know," said Jason Ziedenberg, senior policy analyst at the Justice Policy Institute.

"That's an intriguing question," said Alfred Blumstein, a professor of urban systems and operations research at Carnegie Mellon University who has published two well-regarded studies on racial disparity in incarceration rates.

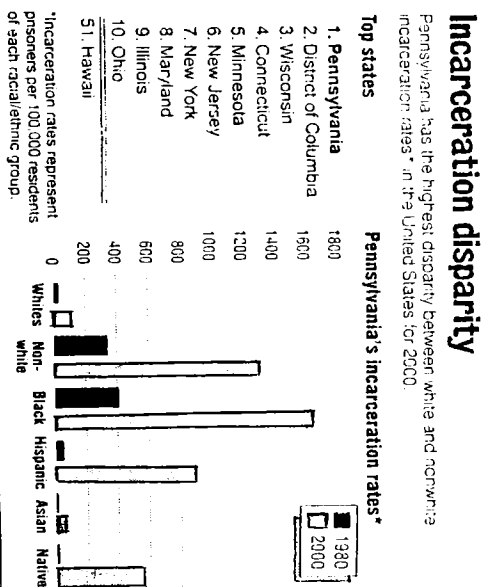
SEE **STUDY**, PAGE C-2

state's 37,001 inmates were white, 55 percent were black and 10 percent were Hispanic, according to the state Department of Corrections.

"We don't have anything to do with who's sentenced or how long they're sentenced," said Lisa Aaron, spokeswoman for the department.

A study done last year by Human Rights Watch placed Pennsylvania sixth in the country in its rate of racial disparity in incarceration, based on 1998 figures. That study identified Minnesota, New Jersey and Connecticut and other Northeastern states as having the largest racial disparities in incarceration rates, as was found by the Justice Policy Institute.

That blacks over the past 20



STUDY FROM PAGE C-1

If you assume that states lock up their most violent offenders at the same rate, it may be that the more conservative "law and order" Southern states lock up more people for nonviolent crimes, Blumstein said.

Because whites commit those crimes at the same rates as blacks, that would mean whites would be incarcerated at the same rate, he said.

Less conservative states tend to allow more discretion in the sentencing of nonviolent crimes, and subtle forms of racism could appear in the rates in which minorities are sentenced to prison, Blumstein said.

He said he was "somewhat sur-

years have been sentenced to 10 years at high rates is not news, a latest study merely compared the number of blacks in each state's prisons with the number of blacks in each state, highlighting the disparity in sentencing rates as a percentage of each state's minority population.

The drug war of the past 20 years contributed greatly to that disparity, Preate said.

Drug sweeps are more often conducted in cities, where the proportion of African-Americans and the minority group members tend to be higher, and that means more blacks are arrested on drug charges, even though a variety of studies show that blacks and whites use illegal drugs at the same rate, Preate said.

21ST CENTURY'S DAWN'S EARLY LIGHT

My Country tis of thee * This is about your reality * By the 21st Century's Dawn's early light * There ain't no justice for you here if you ain't white ** Sweet land of liberty * Bitter was the taste of your slavery * And that putrid taste remains strong in all of our mouths * As we now see you lynching us downtown in your courthouse ** The whole world watched you beat down Rodney King * Then we saw white jurors who could not see what we were seeing * With their open eyes their closed minds saw the police were right * You know there ain't no justice for you here if you ain't white ** Today's lynchings are performed at Police State-style trials * Perpetuating this injustice American-style * Highlighting the unstated semantic reality * That lynchings don't require bodies hanging from the trees ** Oh say can you see * Strange fruit no longer hangs in America's trees * Now in the land of the free the home of the brave * Prisons conceal the lynched children of America's slaves ** Remember Martin told us to let freedom ring * So my Country tis of thee that I sing * Now in the land of the free the home of the brave * Prisons conceal the lynched children of America's slaves **

SELF-HEALING

Practiced before man began recording history * The art of self-healing ain't no real mystery * The best doctors with perfected visions in their minds * Can't help those who're determined to remain blind ** Those who go out of their way to trivialize * Their loss of focus upon a very important prize * Living a nightmare unaware running out of time * Oblivious victims of State-sponsored hate crimes ** The only thing missing in their courtrooms is their hanging trees * And justice for people with black skin like you and me * Courts remain one of America's most racist places * Please don't try to deny it when it's right up in all of our faces ** 117 per 100,000 is White folk's incarceration rate * 2,152 per 100,000 is Black folk's rate in this racist state * Doubt has been dispelled by computerized light * Black's incarceration rate is 18.4 times that of Whites ** Social scientist produce these stats then they tell you humongous lies * Which you'll accept as true if you're determined to remain blind * Will you act upon the facts upon which these stats stand * To end State-sponsored hate crimes against the Black man ** Even blind eyes must see our apathy as strange * Educated and wealthy now what are we doing to make this situation change * Could it be that doctorate degrees and surplus personal wealth * Destroy the vision of those who have not learnt we must show love to ourselves ** Practiced before man began recording history * The art of self-healing ain't no real mystery * The best doctors with perfected visions in their minds * Can't help those who're determined to remain blind ** Those who go out of their way to trivialize * Their loss of focus upon a very important prize * Living a nightmare unaware running out of time * Oblivious victims of State-sponsored hate crimes **